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FAIRS Subject Report

Live Seafood Import Certificate

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Approved by:

William Westman
AgBeijing

Prepared by:

Chanda Beckman and Wu Xinping

Report Highlights:

On December 11, 2008, China General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) published on its website the "Explanations on Amendments to Rules of Inspection and Quarantine of Entering Edible Aquatic Species". This explanation amends AQSIQ Decree No.44 and requests exporting countries to add specific inspection and quarantine items in the hygiene certificate. This report contains the official translation of AQSIQ's amendments to Decree No.44.

Includes PSD Changes: No
Includes Trade Matrix: No
Trade Report
Beijing [CH1]
[CH]

Executive Summary

On April 16, 2003, China's General Administration of Quality Supervision, Inspection, and Quarantine (hereinafter referred to as AQSIQ) issued Decree No. 44 "Administrative Rules of Inspection and Quarantine on Entering Aquatic Species". On May 9, 2003, China's WTO office provided a SPS notification (G/SPS/N/CHN/17) that there are 60 days from notification for WTO members and their respective industries to comment on Decree No. 44 that affects entry of live aquatic species (including fish, mollusks, crustaceans and the semen, ova, and zygotes of these aquatic species). For a full translation of Decree 44, please see GAIN CH3091.

On December 11, 2008, AQSIQ published on its website the "Explanations on Amendments to Rules of Inspection and Quarantine on Entering Edible Aquatic Species". (http://dzwjyjs.aqsig.gov.cn/zxjyjjyq/200812/t20081211_100208.html). The AQSIQ amendments request the exporting country to add detailed inspection and quarantine information to the export health certificate. As of the date of this report, the amendments have not been notified to the WTO.

At the time the amendments were announced, FAS/Beijing requested AQSIQ notify the amendments to WTO. AQSIQ maintains these amendments are not "new" but rather provide more specific guidance to enhance Decree No. 44 published on April 16, 2003 and effective November 1, 2003. As mentioned above, the AQSIQ Decree No.44 was notified to the WTO on May 9, 2003. FAS/Beijing also communicated with the relevant U.S. agencies to push a quick response to AQSIQ requirements. Several countries (including Canada and the United Kingdom) requested a grace period before they finally changed their certificates to meet AQSIQ requirements. This AQSIQ web link shows a sample "Origin and Hygiene Certificate" amended and issued by Canadian Food Inspection Agency, and approved by AQSIQ. (<http://dzwjyjs.aqsig.gov.cn/zxjyjjyq/200903/P020090331510101307574.pdf>).

Recently, one U.S. exporter reported that one consignment of live aquatic products was denied entry in Beijing because the certificate failed to meet AQSIQ requirements. FAS/Beijing's communication with Beijing Inspection and Quarantine Bureau (CIQ) on June 2, 2009 indicated that CIQs will need AQSIQ's instructions to accept the old certificate for certain period to release live edible aquatic species from the United States.

This report contains the AQSIQ official translation of the certificate amendments and a copy of the revised Canadian certificate as a reference, as published on the AQSIQ website.

Currently, NOAA/DOC is following up on this issue.

BEGIN TRANSLATION

Explanations on Amendments to Rules of Inspection and Quarantine on Entering Edible Aquatic Species

December 16, 2008

The "Administrative Rules of Inspection and Quarantine on Entering Aquatic Species" stipulates the requirements for inspection and quarantine of entering edible aquatic species, however, the requirements are not specified in the "Entering Animal and Plant Quarantine Permit", and additionally, these requirements are not specific, thus not convenient for the

exporting side to conduct testing. Therefore, based on experts' recommendations, AQSIQ made the following amendments to the inspection and quarantine of entering edible aquatic species.

The certificate should be issued by the official inspector of the exporting country, and certify that the aquatic animals:

- (1) Wild caught or from official registered cultured farm.
- (2) No use of the prohibited drugs such as crystal violet, malachite green, uritrate, chloromycetin and hormone. Other drugs residues and residues of heavy metal such as arsenic, mercury, cadmium and lead should not exceed Chinese limitation standard.
- (3) The pathogenic microorganisms such as Escherichia coli (O157), Salmonella, Listeria monocytogenes, Vibrio parahaemolyticus and Vibrio cholerae(O1,O139)are not found by testing before export.
- (4) No clinical symptoms of zoonosis or parasitic diseases have been found before export.
- (5) Fit for human consumption.

END TRANSLATION

[illegible]